

### REMARKS

Claims 1-7 are pending in the present Application. Claims 1, 2, and 5 have been amended leaving Claims 1-7 for consideration upon entry of the present Amendment. The Specification has been amended to correct certain typographical errors to Formula (1) as noted by the Examiner. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

#### Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-7 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Examiner has pointed out that the formula for the claimed phosphor was incorrect since it cannot have a total of three halogen atoms since  $(Ba_{1-x}M'_x)$  has a +2 valence state. Applicants appreciate the Examiner for noting this and have amended the claims to overcome the rejection.

In view of the above amendments, it is respectfully requested that the Examiner withdraw the rejection.

#### Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-7 also stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Again, the Examiner has pointed out that the formula for the claimed phosphor was incorrect since it cannot have a total of three halogen atoms since  $(Ba_{1-x}M'_x)$  has a +2 valence state and because of this the claims are indefinite.

The amendments to the claims render the rejection moot and the rejection is hereby requested to be withdrawn.

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It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

The Examiner is invited to contact Applicants' Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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